



Virginia
Regulatory
Town Hall

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Notice of Intended Regulatory Action (NOIRA) Agency Background Document

Agency name	Board for Contractors
Virginia Administrative Code (VAC) citation	18 VAC 50-30
Regulation title	Board for Contractors Tradesman Regulations
Action title	Amending Regulations to add Certified Elevator Mechanics
Document preparation date	June 4, 2004

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 21 (2002) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Purpose

Please describe the subject matter and intent of the planned regulatory action. Also include a brief explanation of the need for and the goals of the new or amended regulation.

The Board for Contractors (the Board) seeks to amend its current Tradesman Regulations to add Certified Elevator Mechanics to the regulations as required by Chapter 188 of the Acts of the General Assembly approved March 19, 2004. The amendments will also include a change in the title of the regulations to more accurately reflect the types of licensure and certification required by Articles 3 and 4 of Chapter 11, Title 54.1 of the Code of Virginia.

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.

As provided in Chapter 188 of the Acts of the General Assembly, Section 54.1-1142(A) of the Code of Virginia provides the authority for the Board to issue certificates to practice as an elevator mechanic in the Commonwealth.

As provided in Chapter 188 of the Acts of the General Assembly, Section 54.1-1143(A) of the Code of Virginia requires the Board to establish in the regulations requirements for the completion of continuing education as a prerequisite to renewal as a “Certified Elevator Mechanic.”

The content of the regulations is up to the discretion of the Board, but shall not be in conflict with the purposes of the statutory authority.

Substance

Please detail any changes that will be proposed. For new regulations, include a summary of the proposed regulatory action. Where provisions of an existing regulation are being amended, explain how the existing regulation will be changed. Include the specific reasons why the agency has determined that the proposed regulatory action is essential to protect the health, safety, or welfare of citizens. Delineate any potential issues that may need to be addressed as the regulation is developed.

Chapter 188 of the Acts of the General Assembly added Article 4 to Chapter 11 of Title 54.1 of the Code of Virginia. This amendment to the statutes introduces “Certified Elevator Mechanics” to the regulatory authority of the Board for Contractors. These regulations will define entry and renewal requirements, and establish fees and standards of conduct for elevator mechanics.

Alternatives

Please describe all viable alternatives to the proposed regulatory action that have been or will be considered to meet the essential purpose of the action.

Since this is a new program, mandated by law, no other alternatives exist for amending the regulations in order to bring them into compliance the Code of Virginia. At this time, no alternative has been established for amending current definitions or the establishment of a continuing education program, however, it is likely that many alternatives will be presented during the public comment periods.

Family impact

Assess the potential impact of the proposed regulatory action on the institution of the family and family stability.

These amendments will have no impact on the institution of the family or family stability.